
TITLE 71 INDIANA HORSE RACING COMMISSION

Emergency Rule
LSA Document #14-63(E)

DIGEST

Amends [71 IAC 5.5-3-1](#) regarding eligibility requirements for trainers. Effective February 25, 2014.

[71 IAC 5.5-3-1](#)

SECTION 1. [71 IAC 5.5-3-1](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 5.5-3-1](#) Eligibility

Authority: [IC 4-31-6-2](#)

Affected: [IC 4-31](#)

Sec. 1. (a) An applicant for a license as trainer or assistant trainer shall:

- (1) be at least eighteen (18) years of age; and
- (2) be qualified, as determined by the stewards or other commission designee, by reason of experience, background, and knowledge of racing.

(b) A trainer's license from another jurisdiction, having been issued within a prior period as determined by the commission, may be accepted as evidence of experience and qualifications. Evidence of qualifications may require passing one (1) or more of the following:

- (1) A written examination.
- (2) An interview or oral examination.
- (3) A demonstration of practical skills in a barn test.

(c) An applicant not previously licensed as a trainer shall be required to pass a written or oral examination and a demonstration of practical skills, administered by the stewards, prior to being licensed as a trainer.

(d) Each licensed trainer is responsible for disclosure to the commission or its designee of the true and entire ownership of each of his or her horses registered with the racing secretary. Any change in ownership of a horse registered with the racing secretary shall be approved by the stewards. Each owner shall comply with all licensing requirements.

(e) Each licensed owner and trainer is responsible for disclosure to the commission or its designee of the true and bona fide trainer of each of his or her horses registered with the racing secretary. Any change in the trainer of a horse registered with the racing secretary shall be approved by the stewards. Each trainer shall comply with all licensing requirements.

(f) The commission **may** deny, suspend, or revoke a trainer's license for the spouse, member of the immediate family, or household of a person ineligible to be licensed as a trainer, unless there is a showing, by clear and convincing evidence, on the part of the licensed trainer, applicant, or licensed owner (and the commission determines) that participation in racing will not permit a person to serve as a substitute for an ineligible person. The transfer of a horse to a trainer who would circumvent the intent of a commission rule or ruling is prohibited.

(g) The commission's designee may refuse a trainer's license for the spouse, member of the immediate family, or household of a person ineligible to be licensed as a trainer, unless there is a showing, by clear and convincing evidence, on the part of the licensed trainer, applicant, or licensed owner (and the commission determines) that participation in racing will not permit a person to serve as a substitute for an ineligible person.

(h) To the extent the commission or its designee obtains information that raises a reasonable suspicion that any other person may be serving as a substitute for a person ineligible to be licensed as a trainer, any horse that the substitute is training may be placed on the stewards' list. In such event, any horse involving an issue of the true and bona fide trainer is ineligible to race until such time that the issue is proven by the entrant of the horse by

clear and convincing evidence in accordance with the provisions of [71 IAC 7.5-5-2](#).

(i) Beginning in 2013, **2014**, trainers must demonstrate, prior to licensure, that they have attended a ~~four (4)~~ **three (3)** hour continuing education course approved by the commission within the past two (2) calendar years. Trainers completing an approved continuing education course in 2011 or 2012 will have met this requirement through the 2014 racing season. The continuing education requirement does not apply to trainers who have started horses six (6) or fewer times in Indiana the previous year. Such trainers may start up to six (6) horses in a year before he or she must fulfill the continuing education requirement. **The following qualifications will exempt a trainer from being required to complete the continuing education requirement:**

- (1) member of the Official National Thoroughbred Racing Hall of Fame or the American Quarter Horse Hall of Fame;**
- (2) recipient of an Eclipse Award for Trainer of the Year;**
- (3) trainer of a horse at the time the horse earned an Eclipse Award for Horse of the year;**
- (4) trainer of a horse at the time the horse won a Triple Crown race; or**
- (5) trainer of a horse at the time the horse won a Breeders' Cup World Thoroughbred Championship race.**

(Indiana Horse Racing Commission; [71 IAC 5.5-3-1](#); emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2855, eff Jul 1, 1995; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; emergency rule filed Mar 20, 2007, 1:43 p.m.: [20070404-IR-071070198ERA](#), eff Mar 16, 2007 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #07-198(E) was filed with the Publisher March 20, 2007.]; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); emergency rule filed Mar 23, 2010, 1:27 p.m.: [20100331-IR-071100170ERA](#); emergency rule filed Mar 8, 2012, 11:43 a.m.: [20120321-IR-071120117ERA](#); emergency rule filed Aug 20, 2013, 12:31 p.m.: [20130821-IR-071130404ERA](#); emergency rule filed Dec 23, 2013, 1:43 p.m.: [20140108-IR-071130567ERA](#); emergency rule filed Feb 25, 2014, 12:34 p.m.: [20140226-IR-071140063ERA](#))

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